

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Revenue Department – Allegation of corruption against Sri G.Karunakar Reddy, formerly Village Revenue Officer, Adibatla (V), Ibrahimpatnam(M), R.R.District – Trapped by the Anti-Corruption Bureau officials on 13-07-2007 - Disciplinary action initiated – Placed on his defence before the Tribunal for Disciplinary Proceedings (TDP) – Charges proved in T.E.C.No.21/2009, Dt.23-03-2011 – Penalty of dismissal from Government service – Imposed – Orders – Issued.

REVENUE (VIGILANCE-VII) DEPARTMENT

G.O.Ms.No. 408

Dated:26-06-2012.

Read the following:-

- 1) From the D.G., A.C.B., Letter Rc.No.RCT-HRG/2007, Dt.23-01-2008.
- 2) Representation of Sri G.Karunakar Reddy, formerly V.R.O., Adibatla (V), Ibrahimpatnam(M), R.R.District, Dated:Nil.
- 3) Govt.Memo.No.51153/Vig.VII(2)/2007-4, Revenue (Vig.VII) Dept., Dt.16-09-2008.
- 4) From the Secretary, T.D.P., Letter Dis.No.S/8/2011, Dt.26-03-2011 together with the report in T.E.C.No.21/2009, Dt.23-03-2011.
- 5) Govt.Memo.No.51153/Vig.VII(2)/2007-6, Revenue (Vig.VII) Dept., Dt.26-04-2011.
- 6) From the Collector, R.R.District, Letter No.A3/4890/2007, Dt.08-05-2012.
- 7) Representation of Sri G.Karunakar Reddy, formerly V.R.O., Adibatla (V), Ibrahimpatnam(M), R.R.District, Dated:Nil.
- 8) From the Collector, R.R.District, Letter No.A5/4890/2007, Dt.17-05-2012.

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ORDER:

Whereas, it has been brought to the notice of the Government that Sri G.Karunakar Reddy, Village Revenue Officer, Adibatla (V), Ibrahimpatnam (M), Ranga Reddy District, was trapped by the Anti-Corruption Bureau officials on 13-09-2007 when he demanded and accepted illegal gratification of an amount of Rs.4,500/- as bribe from the complainant Sri D.Sudarshan, R/o.Narsangi (V), Rajendranagar (M), Ranga Reddy District for doing official favour in entering the name of his wife in the Village Pahani and also to issue a copy of the Pahani. After conducting investigation, the Director General, Anti-Corruption Bureau, has submitted final report through the reference 1st read above recommending to issue prosecution orders to prosecute the Accused Officer Sri G.Karunakar Reddy, Village Revenue Officer, Adibatla (V), Ibrahimpatnam (M), Ranga Reddy District in a court of Law; and also to initiate departmental action for non-submission of Annual Property Returns to the Department during his service.

2. And whereas, in the reference 2nd read above, Sri G.Karunakar Reddy, Village Revenue Officer, Adibatla (V), Ibrahimpatnam (M), Ranga Reddy District has stated that the complainant forcefully trusted the amount into his shirt pocket and requested to enquire into the matter and reinstate him into service.

3. And whereas, Government after considering the representation of Sri G.Karunakar Reddy, Village Revenue Officer, Adibatla (V), Ibrahimpatnam (M), Ranga Reddy District, have entrusted the case to the Tribunal for Disciplinary Proceedings for a detailed enquiry into the allegations leveled against him under Rule-3 of the A.P.C.S.(Disciplinary Proceedings Tribunal) Rules, 1989 read-with Section-4 of the A.P.C.S.(DPT) Act, 1960 through the reference 3rd read above.

P.T.O.

4. And whereas, in the reference 4th read above, the Secretary, Tribunal for Disciplinary Proceedings, Hyderabad has furnished the enquiry report in T.E.C.No.21/2009, Dt.23-03-2011 in respect of Sri G.Karunakar Reddy, Village Revenue Officer, Adibatla (V), Ibrahimpatnam (M), R.R.District and holding that the Charged Officer is **found guilty** of the charge leveled against him has been established by the prosecution.

5. And whereas, Government after considering the Tribunal for Disciplinary Proceedings Report in T.E.C.No.21/2009, Dt.23-03-2011 have accepted the findings of the Tribunal for Disciplinary Proceedings and accordingly in the reference 5th read above, a copy of the enquiry report in T.E.C.No.21/2009 was communicated to the Charged Officer Sri G.Karunakar Reddy, Village Revenue Officer, Adibatla (V), Ibrahimpatnam (M), R.R.District in terms of Rule-21(4) of A.P.C.S. (C.C.&A) Rules, 1991 read-with Rule-6(2)(b) of the A.P.C.S.(DPT) Rules,1989 to submit his explanation, if any, on the report of the Tribunal for Disciplinary Proceedings, failing which, it will be construed that he has no explanation to offer, and further action will be taken as per rules and on the material available with the Government.

6. And whereas, the Charged Officer Sri G.Karunakar Reddy, former Village Revenue Officer, Adibatla (V), Ibrahimpatnam (M), Ranga Reddy District, has submitted his representation through the reference 7th read above stating that he has rendered 32 years of service and he is going to retire on 30-06-2012 on attaining the age of superannuation. He further submitted that he was deliberately implicated in stage managed and foisted Anti-Corruption Bureau trap case on 13-09-2007 at the instance of unscrupulous and disgruntled element by name Sri D.Sudharshan in connivance with one Mr.Krishna, who is a Piravikar in Adibatla Panchayat. As there were several loopholes and infirmities in the prosecution case, the Govt., referred his case to the Tribunal for Disciplinary Proceedings for enquiry and report. Unfortunately, before the Tribunal for Disciplinary Proceedings he could not get justice and from the beginning of his case, the Tribunal for Disciplinary Proceedings exhibited a prejudicial attitude against him and ultimately the Tribunal for Disciplinary Proceedings delivered its one-sided and perverse report on 23-11-2011 **holding him guilty** of the charge which is most unfortunate and also against to the principles of natural justice. He denied the charges framed against him and the findings of the Tribunal for Disciplinary Proceedings for recommending action against him. The Charged Officer Sri G.Karunakar Reddy, formerly Village Revenue Officer, has submitted the following points in support of his contention:

1. The pahani for the year 2005-06 which was asked by the wife of PW-1 as per the application under Ex.P-1 does not contain the name of the wife of PW-1 and it contains the names of the vendors of the wife of PW-1. Therefore, pahani for the year 2005-06 cannot be issued to PW-1 or his wife.
2. The proceedings were issued by the MRO, PW-3 under Ex.P-13 on 03-12-2006 for the mutation of 37 guntas in the name of the wife of PW-1. As per the proceedings of the MRO under Ex.P-3, the name of the wife of PW-1 will be entered in the pahani for the year 2007-08 and not for the year, 2005-06. The pahani for the year 2007-08 was not yet prepared by the date of trap and it was neither available nor seized from him on the date of trap. That is the reason why, he advised PW-1 to come after the pahani for the year 2007-08 is prepared as admitted by him. Thus, there is no official favour pending with him to be rendered to PW-1 expecting some illegal gratification from him. This it-self cuts the very root of the prosecution case and the same is totally ignored by the Tribunal for Disciplinary Proceedings.

3. The Prosecution miserably failed to prove either the demand or the acceptance of Rs.4,500/- from PW-1 by him even as per the evidence of PW-1. The main person who was behind the curtain by name Mr.Krishna who is a piravikar in Adibatla Panchayat who bore grudge against him thoroughly mislead P.W.-1 and he got fabricated the complaint under Ex.P.-14. Besides that prosecution failed to establish, who is the scribe of Ex.P.-14 complaint.
4. The chemical test which proved positive on his both hand fingers is not because he demanded and accepted tainted amount from P.W.-1 but because of the reason when PW-1 tried to give the amount to him, he refused to receive and throw it away with his both hands. The reason for recovery of tainted amount from his shirt pocket is not because of his demand and acceptance of the same from PW-1, but because of the reason that PW-1 thrusted the same in his shirt pocket as admitted by him.

7. Further, the Charged Officer has stated that the all the above facts and unimpeachable evidence on record are totally overlooked by the Tribunal for Disciplinary Proceedings because of its prejudicial attitude towards him and hence the entire report of the Tribunal for Disciplinary Proceedings is against to the evidence on record and its findings are totally perverse and one-sided and also against to the principles of natural justice, fair play and equity. By concluding, he prayed to consider his explanation and do justice to him by dropping all further action in pursuance of the report of the Tribunal for Disciplinary Proceedings and thus save him and the innocent members of his family.

8. Government have carefully examined the representation of the Charged Officer keeping in view the report the Tribunal for Disciplinary Proceedings and found that the contentions raised by the Charged Officer has no merits to consider and no valid grounds are raised in the explanation warranting interference with the findings of Tribunal for Disciplinary Proceedings, since **the charge** of demand and acceptance of illegal gratification has been **proved** in the enquiry conducted by the Tribunal for Disciplinary Proceedings. The contention raised by the Charged Officer has been properly answered in the findings of the Tribunal for Disciplinary Proceedings at para-14 of its findings. There is no point in the contention of the Charged Officer that no official favour was pending with him, as no pahani for the year 2007-08 was prepared though the PW-1 had sought for the copies of the pahani for the year 2005-06. The Charged Officer ought to have retuned the application made by PW-1 then and there by making a relevant endorsement on it. Instead he gave an impression that the matter can be pursued further with him. Otherwise, the complainant would not have approached him again! Government therefore considers that it is a concocted story of the Charged Officer saying that no favour was pending with him. With regard to the contention at Sl.No.2 of para-6 above though the Mandal Revenue Officer has issued proceedings on 03-12-2006 for mutation in the name of the wife of PW-1, the Charged Officer has not initiated any follow up action in pursuance of the proceedings of the Mandal Revenue Officer and the PW-1 has applied for a copy of pahani for the year 2005-06 on 03-09-2007 and the Charged Officer can't take shelter stating that no corrections were carried out as on 03-09-2007 in pahani pursuant to the proceedings of the Mandal Revenue Officer, Dt.03-12-2006. The defence of the Charged Officer and the entire story narrated by him is artificial and is not trust-worthy. The chemical test conducted by the Anti-Corruption Bureau officials on the hand and pockets of the Charged Officer in the presence of the Mediators proved positive. The tainted amount was recovered from the Charged Officer. The number of the currency notes also tallied. Hence, the representation of the Charged Officer merits no consideration, since the charge of demand and acceptance of illegal gratification proved in the enquiry conducted by the Tribunal for Disciplinary Proceedings.

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9. After careful examination of the facts and circumstances of the case and keeping in view the Tribunal for Disciplinary Proceedings report in T.E.C. No.21/2009 and as the representation of the Charged Officer Sri G.Karunakar Reddy, former Village Revenue Officer, Adibatla (V), Ibrahimpatnam (M), Ranga Reddy District, is not convincing, Government have decided to impose the penalty of dismissal from Government service under Rule-9(x) of the A.P.Civil Service (CC&A) Rules, 1991 for the charges proved against him in T.E.C.No.21/2009, Dt.23-03-2011.

10. Now, therefore, in exercise of the powers conferred by clause (x) of Rule-9 of the A.P.Civil Services (CC&A) Rules, 1991 read-with G.O.Ms.No.458, General Administration (Ser.C) Dept., Dt.22-09-2009, Government hereby dismiss Sri G.Karunakar Reddy, former Village Revenue Officer, Adibatla (V), Ibrahimpatnam (M), Ranga Reddy District from Government service with immediate effect.

11. The District Collector, Ranga Reddy District shall take necessary further action in the matter accordingly and furnish compliance report thereon, to the Government, immediately.

12. Accordingly, the following notification shall be published in the Extra-ordinary issue of the Andhra Pradesh Gazette Dated:28th June, 2012:

NOTIFICATION

In exercise of the powers conferred under clause (x) of Rule-9 of the A.P.Civil Services (CC&A) Rules, 1991 read-with G.O.Ms.No.458, General Administration (Ser.C) Depepartment, Dt.22-09-2009, Government of Andhra Pradesh hereby dismiss Sri G.Karunakar Reddy, former Village Revenue Officer, Adibatla (V), Ibrahimpatnam (M), Ranga Reddy District from Government service with immediate effect.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA,
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Printing, Stationery and Stores Purchase, Chanchalguda, Hyderabad (with a request to publish the said Notification in the extra-ordinary Gazette Dt.28-06-2012 and furnish 25 copies of the same to Govt., immediately)

The District Collector, **Ranga Reddy District (by Fax).**

Sri G.Karunakar Reddy, former Village Revenue Officer, Adibatla (V), Ibrahimpatnam(M), Ranga Reddy District **through** the District Collector, Ranga Reddy District....with a request to serve the G.O. on the individual on or before 29-06-2012 and send the served copy with dated signature to the Government for record.

Copy to:

The Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.

The Pay & Accounts Officer, Hyderabad.

The District Treasury Officer, Ranga Reddy District.

The Director General, Anti-Corruption Bureau, Andhra Pradesh, Hyderabad.

The Secretary to Vigilance Commissioner, A.P.Vigilance Commission, Hyderabad.

The General Administration (Spl.C) Department.

Sf/Sc.

// Forwarded :: By Order //

SECTION OFFICER